

order, report, decree, concession, denouncement, deed, patent, diseno, map, expediente or part of an expediente, title-paper, or written evidence of right, title, or claim to lands, minerals or mines in the State of California, knowing the same to be false, forged, altered, or counterfeited, or any falsely dated petition, certificate, order, report, decree, concession, denouncement, deed, patent, confirmation, diseno, map, expediente or part of an expediente, title-paper, or written evidence of right, title, or claim to lands, mines, or minerals in California, knowing the same to be falsely dated; or if any person shall prosecute in any court of the United States, by appeal or otherwise, any claim against the United States for lands, mines, or minerals in California, or shall, after the passage of this act, continue to prosecute any claim now pending in said courts against the United States for lands, mines, or minerals in California, which claim is founded upon, or evidenced by any petition, certificate, order, report, decree, concession, denouncement, deed, patent, confirmation, diseno, map, expediente or part of an expediente, title-paper, or written evidence of right, title, or claim, which has been forged, altered, counterfeited, or falsely dated, the person so offending shall be deemed and adjudged guilty of a misdemeanor; and, on conviction thereof, shall be sentenced to be imprisoned and kept at hard labor for a period not less than three years, nor more than ten years, and shall be fined not exceeding ten thousand dollars.

Approved, May 18, 1858.

#### CHAP. XLIII.

An Act to amend an Act entitled "An Act to authorize the President of the United States to cause to be surveyed the Tract of Land in the Territory of Minnesota, belonging to the Half-breeds or mixed Bloods of the Dakota or Sioux Nation of Indians, and for other Purposes," approved seventeenth July, eighteen hundred and fifty-four.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act approved seventeenth July, eighteen hundred and fifty-four, above referred to, chapter eighty-three, be, and the same is hereby, amended, so that the body of land known as the half-breed tract, lying on the west side of Lake Pepin and the Mississippi River, in the Territory of Minnesota, and which is authorized to be surveyed by the said act of eighteen hundred and fifty-four, shall be subject to the operation of the laws regulating the sale and disposition of public lands; and settlements heretofore made thereon are declared valid so far as they do not conflict with settlements made by half-breeds and that the settlers shall have the benefit of the pre-emption laws of the United States, any location of half-breed scrip thereon, after the date of the settlement, notwithstanding: *Provided*, the declaration of pre-emption be filed within three months after public notice is given of the passage of this act in the proper land district: *And provided*, That when two or more persons have settled on the same quarter section, prior to the passage of this act, they shall be permitted to enter the same, and the rights of each shall be determined according to the provisions of the act relating to pre-emptions, passed March third, eighteen hundred and forty-three.

Sec. 2. And be it further enacted, That the provisions of this act shall not extend to any tract or subdivision, within the body of land aforesaid, which shall have been settled upon in good faith by, and is in the occupancy of, any of the said half-breeds or mixed bloods; which lands, so settled upon and occupied by the half-breeds, are hereby expressly declared to be subject to no other disposition than location by the "certificates" or "scrip" authorized to be issued by the said act of eighteen hundred and fifty-four, for the benefit of said Indians. Nor shall the provisions of this act extend to any lands which may have been located prior to its passage with half-breed scrip, with the consent of the settlers thereon.

Approved, May 19, 1858.

#### CHAP. XLIV.

An Act to create a Land District in the Territory of New Mexico.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the public lands in the Territory of New Mexico, to which the Indian title shall have been extinguished, shall constitute a land district, to be called the "District of New Mexico," the office for which shall be established at such place within said district as the President may from time to time direct.

Sec. 2. And be it further enacted, That, for the purpose of carrying this act into effect, the President shall be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, or during the recess thereof, a register and receiver for the district hereby created, who shall be required to reside at the site of the office, and whose powers, duties, obligations, and responsibilities shall be the same as are now prescribed by law for other land officers, (so far as they apply to these officers.)

Sec. 3. And be it further enacted, That this act shall not take effect in less than six months after its passage.

Approved, May 24, 1858.

#### The Cost of Sanatization.

The Legislature of Texas, at its last session, passed the following act:

Sec. 1. Be it enacted by the Legislature of the State of Texas, That the following sums be, and they are hereby appropriated for the use and support of the State Penitentiary for the years 1858 and 1859. (After naming the various items, the law makes this further provision.) "For purchasing and putting up additional machinery, \$28,000: Provided that no part of the same shall be expended in the State of Massachusetts, nor the machinery manufactured in said State."

## SANTA FE WEEKLY GAZETTE

INDEPENDENT IN ALL THINGS: NEUTRAL IN NOTHING

SAMUEL M. YOST, EDITOR.

SATURDAY, DECEMBER 18, 1858.

#### TERMS OF THE PAPER.

PAYABLE IN ADVANCE WITHOUT EXCEPTION.

#### SUBSCRIPTION.

For one year.....\$2.50  
For six months.....1.50  
For three months......75  
For single copies......25

#### ADVERTISING.

First insertion per square.....\$1.00  
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For six months.....3.00  
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Ten lines or less constitute a "square."

Col. Boucville and Col. Collins, the Commander of this Military Department, and the Superintendent of Indian Affairs, left this city on the 14th for Fort Defiance, to enter into peace negotiations with the Navajos according to the terms of the armistice which ends on Monday next. We doubt whether these commissioners arrive before the expiration of the armistice, though have no doubt that if they do not it will be extended a reasonable time for their arrival. We confidently look for the consummation of a treaty of peace. We know Mr. Yost, the agent, has been using his efforts and influence to this end, believing the Indians are sufficiently humbled and humiliated before our arms and the exhibition of our power, and that he now confidently expects a permanent and lasting peace to follow the war.

Since the end of October we have had regularly on Tuesday and Friday evening of every week a Concert at the Courthouse. We can not go to Niblo's or to the Italian Opera to admire Miss Piccolomini or hear Formes, but we can go to the courthouse and enjoy the choicest pieces of Il Trovatore and La Traviata and all other kind of good music so well discoursed by the Band of the Third Regiment of Infantry—for all of which we owe great thanks to the Adjutant General of that Regiment, Mr. John D. Wilkins. The leader of the band, Mr. Francis Bauer, is a very talented young musician and shows great taste in arranging the pieces. The whole band indeed, deserve the highest credit for their zeal, great attention and perfect execution.

We have remarked with pleasure that these concerts are crowded by our people, and hope they will be continued all the winter.

The mail from Independence last week, on account of the great fall of snow on this end of the route, did not arrive here until Monday evening last. Our postmaster, Mr. Whiting, consequently kept the outgoing mail back one day waiting for the arrival of the mail still due. This was an accommodation to our merchants and business men, and we understand that it was at their general request that he did so.

We are indebted to James Barry, Esq., Clerk of the United States District Court for the Second Judicial District, for a very voluminous communication giving the entire proceedings of Judge Boone's recent special term of the Court at Taos, and regret that we have not room at present for more than a synopsis of its contents.

The court met and was organized on the 15th. On the 17th the Grand Jury brought in one indictment for larceny and two for murder. Cardenas was acquitted by the Jury of larceny. Analla was acquitted of burglary, but ordered to remain in custody of the sheriff until he gave bond in \$1000 under another indictment. Several cases of long standing on the docket were *nolle prosequit* and others continued. On the 18th the Grand Jury presented one indictment for rape, one for assault upon an officer and two for murder. On the 19th the jury in the case of Ezra N. DePew, tried for the murder of Marcelino Vigil, returned a verdict of Not Guilty or Justifiable Homicide. On the 20th the Grand Jury returned a true bill against the Catholic Priest Peter John Monnien for the murder of Priest E. M. Abel, in the church at Moro by poisoning. The Grand Jury having brought into court several other indictments for criminal offenses of various grades, were discharged from further duty. On the 23rd the murder case of Ortega was continued. On the 25th Martinez was by the jury found not guilty of murder. The court adjourned *sine die* after a session of ten days.

The cases that excited the most interest were those of the Territory vs. E. N. DePew and vs. Priest Peter John Monnien. Mr. Barry sends us the charge to the jury in the latter case, in which the Judge appears to review the entire evidence adduced upon the trial. The deceased and the prisoner at the bar were at the time of the poisoning, 3rd of August last, both officiating clergymen of the Catholic church at Moro in this diocese. The former, father Abel, upon his deathbed persisted in accusing the prisoner as his murderer, after having been repeatedly warned by one

of the witnesses of the importance of such an accusation. The bottle of wine containing the fatal poison was that used at the Holy Sacrament in saying mass at the altar, and the dying priest declared that no one but himself and the accused had or could have access to the wine: it was established, however, that though this was very probably true the contrary was possible. So fixed did the belief appear to be in father Abel that father Monnien was his murderer, that when the latter was suggested as the priest to officiate at the deathbed, the former replied that he "did not want his murderer to administer to him"—that he "did not want Monnien's name to be mentioned to him"—for that the person who had poisoned him was unfit to administer the sacrament. The evidence was entirely circumstantial, and we understand that in the opinion of most persons who heard the trial, it was not at all conclusive of the guilt of the prisoner, whom the jury after a short absence found not guilty by the following verdict: "Nosotros, los miembros del pequeño jurado, unanimemente hallamos sin culpa al acusado."

#### A Card.

To the Editors of the SANTA FE GAZETTE  
It is my intention to leave this Territory for Washington on Monday next, the 20th inst., on leave duly granted by the proper authority, and during my absence the office has been placed under the charge of David V. Whiting, Esq., who will be acting Surveyor General until the return of the Surveyor General.  
WM. PELHAM,  
Santa Fe, N. M.,  
Dec. 18th, 1858.

#### Surveyor General Pelham.

The following joint resolutions of the General Assembly of this Territory were introduced into the Senate on the 11th instant, and passed their final reading in the House of Representatives and were adopted on the 14th. They contain a very handsome compliment to Gen. Pelham as a man and an officer, one the more appreciated on account of its being entirely unsought by him, but wholly voluntary on the part of the members of the Legislature.

*Preamble and Joint Resolutions of the General Assembly of the Territory of New Mexico, passed December 14, 1858.*

Whereas, the people of New Mexico are well pleased with the rectitude and integrity of William Pelham, Surveyor General of New Mexico, as well as his ability to discharge the duties of his office; and, Whereas, we have heard with pleasure that the said William Pelham has been reappointed Surveyor General of this Territory by the President of the United States; Therefore,

Be it Resolved by the Legislative Assembly of the Territory of New Mexico, That the Senate of the United States is hereby respectfully memorialized to confirm the appointment of the said William Pelham as Surveyor General of New Mexico.

Be it further Resolved, That the Secretary of the Territory is hereby instructed to transmit one copy of this Preamble and Joint Resolutions to the President of the United States and another to the President of the United States Senate.

#### LAFAYETTE HEAD,

President of the Senate.

#### JOSÉ GUADALUPE GALLEGOS,

Speaker of the Ho. of Reps.

Señor Juan Bautista Vigil y Alarid is now in the city. This gentleman was left in charge of the Government, in this city, when General Armijo left here to meet and resist the advance of the American army in 1846, and on the flight of Armijo and the entrance of General Kearney into Santa Fe on the 18th August, he formally surrendered the capital to our arms. He was connected with the Government for a long time and in various capacities before its acquisition by the United States. Señor Vigil y Alarid has placed us under obligations to him for a lot of periodicals and pamphlets in Spanish, from which we shall from time to time select the most interesting extracts for our Spanish readers.

We observe that in the official returns of the recent election for Governor in Massachusetts, the following remarkable vote was the result at the town of South Danvers—one that would not probably again occur in a million of chances:—

Beach, democratic candidate 444

Banks, black "republican" candidate 444

Lawrence, "American" candidate 444

General Tom Thumb is in Manchester, England.

The gold production from Australia this year up to the middle of August is \$28,000,000.

Mr. Rowett of England, has offered to lay a rope-covered electric wire between Valencia and New Foundland for the sum of \$180,000.

It is currently reported that the British Government will shortly issue a pardon to Thomas F. Meagher, the Irish exile.

#### [Editorial Correspondence.]

#### From the Seat of the Navajo War.

Fort Defiance, N. M.,  
December 3rd, 1858.

The Indians are complying with the terms of the armistice as fast as they can. The term expires on the 20th inst., by which time, doubtless, everything will be ready to conclude a treaty of amity and peace which will prove lasting and permanent. Yesterday they brought in 15 animals—10 mules and 5 horses—which they had taken from the garrison.—A few days after the granting of the armistice the principal chiefs met and elected as their head chief a young man of intelligence and wealth, named Herrera. Since that they have been busily engaged in hunting up our animals.

The Indians continue to come in every day. The most affecting and pitiful appeals are made to our sympathies and Christian and humane impulses. Old Zarcillos Largos, who is the war chief, embraced the knees of Col. Miles and plead in the name of the cross for peace. His wife wringing her hands as if in distress and the tears streaming down her cheeks, embraced the Colonel and the agent, and prayed for the sake of the women and children, for pity's sake, and for the sake of God and the "light of day," to give them peace. While their appeals could not fail to touch the tenderest sympathies of the heart, the response had to be to them that the terms were known to them upon which peace would be granted, and that they must be complied with. Everything the Indians can do will be done.

These Indians live under a radical Democracy—or rather a "fiera Democracie," as De Tocqueville expresses it. There is a want of concentrated power. Every man has his voice in the nation's affairs, as well as the women; and hence there will be much difficulty for the chiefs with whom we have to treat to enforce their own wishes or get from the ragamuffins and pelase anything which such characters may possess. But I am convinced of the good faith of the chiefs—of their humility and perfect willingness to meet the demands of the commander of the expedition.

The tribe is now much scattered in consequence of the war. At least two thousand of them are down with Sandoval, who, under the guise of friendship and peace, harbors those against whom we are warring, who flee to his band. Many of the thefts charged against these Indians, have been committed by Sandoval's people. Not one theft charged to these bands out of ten is committed by them. Sandoval's people do it, as is well known by every intelligent man in the Rio Abajo, and then a bill is brought in against these bands, because forsooth the blindness of certain officials enable them to acquit without hearing this old reprobate without even a suspicion. I would rather at any time rely upon any man in the Navajo nation than Sandoval, who, I believe to be the most consummate hypocrite in the tribe.

#### For the Santa Fe Gazette.

#### Meeting of Citizens at Albuquerque.

At a large meeting of the citizens of Albuquerque held at the Atlantic and Pacific Railroad Hotel on Thursday, December 9th, 1858, Judge W. F. Boone was called to the chair; Hon. S. M. Baird arose and having explained the object of the meeting, the following officers were proposed and appointed:

Judge W. F. Boone, President.  
Hon. S. M. Baird,  
L. J. Rose,  
Gilliam Baley,  
Cristobal Armijo,  
Rafael Armijo,  
Wm. R. Havacan,  
W. L. Lacos,  
Diego Armijo,  
Vice-Presidents.  
Secretaries.

#### COMMITTEE ON RESOLUTIONS.

E. M. Jones  
W. C. Freeze  
W. R. Baley  
R. H. Ewings  
T. R. Hedgepeth  
Wm. Mantle  
Salvador Armijo  
Bradford Cove  
Nestor Armijo  
Julian Tenorio  
Salvador Sanchez  
F. Hanning  
Wm. Marshall Boone  
T. Burke  
S. Rosenstein  
N. R. Buntan  
J. Holland  
Nicolas Armijo  
Henry Carpenter  
S. P. Warwick  
J. Hedgepeth  
Ed. Branford  
H. M. Brown  
L. Perkins  
C. P. Davis  
J. C. Armijo  
Ambrosio Armijo  
Francisco Perea  
Juan Perea  
F. L. Russ  
Wm. Ayres  
M. F. Fitzgerald  
J. B. Swain  
John Udell  
Manuel Garcia  
Daley  
J. D. Smith  
Julian Martin  
Charles Hanning.

The committee retired and drafted the following resolutions:

Whereas, the emigrants to California who passed through this place last summer on the Albuquerque route were intercepted and attacked on their way at the Rio Colorado by the Mohave Indians and robbed of nearly all their property, a portion of them brutally murdered, the balance being reduced to the necessity of returning to this place in a starving and nearly naked condition; and whereas, it has proved unsafe and impracticable to pass through on said route with the United States mail in consequence of the hostility of said Indians; and whereas, the mail party which

recently started from Albuquerque to Neosho, have also been brutally murdered by the Kiowa and Comanche Indians on the plains; and whereas the mail party from Neosho as well as Lieutenant Beale have failed to come through with his road party and a strong escort, and are reported to have turned back in consequence of the hostility of said Indians; and whereas, we are satisfied that this is the most practicable and shortest route for the mail as well as railroad, and deem its protection of paramount importance. It is therefore Resolved, That we are of the opinion that there ought to be a strong military post placed without delay on the Colorado of the West in the heart of the Mohave nation, where Lieut. Beale's route crosses said river, and another on the Canadian in the heart of the Comanche and Kiowa country on the Albuquerque and Neosho mail route.

Resolved, That we are of the opinion that these two posts sufficiently manned will be adequate to keep said route open and safe for the mail as well as emigrants, and that the establishment of said posts would be an act of justice due said emigrants, the region of country traversed by said route as well as to this Territory.

Resolved, That we will use all honorable means in our power to secure the speedy establishment of said posts.

Resolved, That we deeply sympathize with the emigrants who met with the sad misfortune referred to on the Colorado of the West, as well as with the friends of the mail party murdered on their way from Albuquerque to Neosho.

Resolved, That we earnestly request that the proceedings of this meeting be published in the St. Louis Mo. Republican, the Washington Union, the New York Day Book, the San Francisco Herald, the Pennsylvania, and all other papers friendly to this Central Route, the cause of humanity and the subjugation of the Indians.

Resolved, That a copy of these resolutions with the proceedings of this meeting be sent to the Hon. John B. Floyd, Secretary of War, Hon. A. V. Brown, Postmaster General; to our Delegate in Congress, Hon. M. A. Otero; Hon. John S. Phelps, Mo.; to Col. B. I. E. Bonnevill, commanding the 9th Military Department; to His Excellency the Hon. Abram Rencher, Governor of New Mexico; to Col. J. L. Collins, Superintendent of Indian Affairs of this Territory; to Joaquin Perea of California; and to W. Z. Angney of San Francisco, California; and to Lieutenant E. F. Beall.

E. M. JONES, Ch. Com. on Res.

#### INDIAN LIFE.

BY CAPTAIN JOHN S. FORD OF TEXAS.

The chief of a band of Comanches usually makes a talk to his people very early in the morning, imparting the news, and discussing its purport; this is succeeded by his orders.

When a change of camp is contemplated, the women gather the animals, saddle and pack them. The lodges are taken down, and placed on animals. The men and women ride after the same fashion. Very young children are on horseback, at an age they would not be suffered to manage a horse, with us, in an inclosure. The point of destination is known to all. The families leave as they get ready, except on some extraordinary occasion, or when danger is apprehended. In any event they have a number of warriors as look-outs on every side. It is almost impossible to approach a Comanche camp without being discovered.

When moving with their women and children, a party of Comanches exhibit a scene of liveliness, the women talking, laughing, and running pack animals to keep them in place—children with bow and arrows in hand, beating thickets for small game, shooting snakes, running helter skelter in every direction—mules going at half speed over rocky places, with long lodge poles trailing on either side, making a noise louder than so many empty wagons—young warriors, with gaudy trappings, frolicking and gibbing—when all these things are jumbled together into a discordant mass, then is it really exciting to be traveling with the red children of the forest. Sometimes a stampede occurs to give additional variety to the scene. On such an occasion, the dogs of the celebrated chief, Buffalo Hump, felt called upon to do something; they gave chase to the running horses, Buffalo Hump became furious—with strung bow and ready arrows he followed the dogs. The race was over an undulating prairie kind of country, and lasted some mile or so. The enraged Indian shot his dogs and stopped his horses.—The canine god of the animal eluded the impending harm. The old chief, with all his subtlety, was a long time foiled by his canine companions. The scenery—the stampede—the chase—the maddened Indian, made a panorama worth seeing, but hardly paying for the trouble of reading.

A halt being made, the women arrange everything—take care of the horses, set up the lodges, pack the wood and the water, and cook.

The warriors lounge about, gather in groups, and talk over matters and things in general. In things they cannot properly comprehend and account for, in some way, they possess considerable incredulity. They deny the tales they hear of the speed of a railway locomotive. When some of them were informed a steam car could run from the Colorado to Chihuahua, in Mexico, in less than a day, they declared it impossible—"a horse could not run that far in a day."

They have a game which may be called "Hunt the bullet." The players sit down in a circle—sing a curious kind of song; one takes a bullet, changes it from hand to hand, throwing his arms in every possible direction. When he thinks his manipulations have sufficiently mystified the man appointed for that purpose, he holds out both hands, and lets him guess in which the bullet is. Every guess counts on one side or the other. The number constituting the game, is, we believe, a matter of agreement; the tallies are kept with arrows. In this way a great many articles